

PART III

SECONDARY COOPERATIVE EDUCATION/ DIVERSIFIED OCCUPATIONS PROGRAMS

The purpose of Part III is to provide a model for developing a comprehensive work-based learning program that meets Nebraska program standards. The process for identifying appropriate work sites and sample forms for operating the program could be modified to fit a wide variety of work-based learning experiences. This model meets the requirements set forth in the Fair Labor Standards Act for limited employment of students under the age of 18 in hazardous occupations.

The *Nebraska Work Based Learning (WBL) Manual* provides models and sample forms for setting up a wide variety of WBL experiences including job shadowing, apprenticeship, clinical work experiences, internships, mentorships, and service learning projects. The *Manual* can be ordered by contacting Doris Lux, Central Community College-Columbus, P.O. Box 1027, Columbus, NE 68602-1027, 402-562-1242, Fax 402-562-1201, or E-mail: dlux@cccneb.edu.

Overview

Cooperative Education (COOP) is a structured program whereby students in the 11th and 12th grade receive school-site occupational instruction and related paid work site experience for application of that instruction. Cooperative education offers students a chance to extend the classroom into a workplace setting, combining classroom activities with actual work experience. The purpose is to provide students the opportunity to connect what they learn in school with work site application to enable a smooth transition into the work force or postsecondary education upon high school graduation.

There are several essential components of Secondary Cooperative Education Programs that must be in place to qualify as a *state recognized program* by the Nebraska Department of Education.

- A qualified teacher-coordinator
- Related classroom instruction
- Selected training stations
- Training agreements
- Student evaluation
- Selected student-learners
- Supervised on-the-job training
- Coordination of school-based and work-based learning
- Training plans
- An advisory committee

Evaluation. Work site evaluation of the student-learner's performance will be conducted by the employer and discussed with the student by the employer and school coordinator to assess progress towards attainment of established competencies. School personnel will conduct regular on-site visits to monitor the student-learners progress.

Legal Issues. All state and federal child labor laws must be followed for learners under the age of 18. These requirements are defined in this manual, *Part IX - Nebraska Work Based Learning Legal Issues Guide*.

Insurance. The following insurance considerations should be understood by parents, school administrators and employers:

- *Health/Life Insurance* - provided by student's family; however, employers are responsible for offering coverage for students in paid work site learning experiences if similarly classified employees are eligible for these benefits.
- *Automobile Accident Insurance* - provided by the student/parent (for travel to and from work site) unless transportation is provided by the district.
- *Accident/Liability Insurance* - Insurance for personal injury or property damage should be carried by the employer, school district, and family. Additional liability (malpractice) insurance may be advisable in the health care field.
- *Worker's Compensation* - Students participating in paid work site experiences are covered by worker's compensation and may be covered by the school district's policy or the employer. Students participating in non-paid work site experiences are not covered by worker's compensation, but if injured at the work site may be covered by the school district or businesses's liability insurance and/or their family insurance
- *Medical Treatment Waiver*. Parents sign a waiver for student's participation in a work site learning experience.

Sources of Funding. Possible sources of funding for cooperative education program activities include: local schools, the Nebraska Department of Education, Career and Technical Education, Tech Prep, School-to-Careers, Educational Service Units, local business and industry partner, etc.

Time Commitment. This experience lasts from one semester up to one school year. Students receive school credit for their in-class instruction and for their on-the-job training. Students are usually enrolled in school for half of each day and are employed the other half.

Training Agreement/Training Plan. Agreements that outline the responsibilities of all parties and describe the school site and work site competencies to be attained are signed by the student, parents, school coordinator, and employer.

Transportation. Students and parents should provide transportation. In some cases, the school or school district may make transportation arrangements for students to and from the work site.

Wages. Student-learners are paid in accordance with federal and state wage regulations.

COOP Program Components

Teacher Coordinator. Teacher-coordinators are educators who coordinate school-based and work based learning experiences for students enrolled in Cooperative Education. It is highly recommended that the teacher/coordinator hold a Cooperative Education/Diversified Occupations Teaching Endorsement. If any students in the program are employed in one of the Hazardous Occupations Orders Exceptions available to 16 and 17 year olds, the teacher/coordinator must hold this endorsement in order for the program to meet the Nebraska Department of Education **approved** status.

Selected Student-Learners. Student-learner is the name given to students enrolled in Cooperative Education. Before enrolling, students must apply and be selected by the teacher-coordinator to participate. Three important criteria for student selection include: (1) a desire to participate, (2) a tentative career objective, and (3) an ability to benefit from on-the-job training. Only students who meet these criteria should be selected to participate.

Related Classroom Instruction or Seminar. The related class/seminar should be taught by the teacher-coordinator, complement the student-learners' on-the-job learning experiences, and be developed to meet the specific needs of each student. The class may focus on a specific occupational area (marketing, industrial technology, business, ag, family and consumer sciences) or a combination class which is referred to as Diversified Occupations. It should be designed to improve personal and social skills, provide needed basic education, and develop relevant occupational skills and knowledge. Occupationally specific instruction is an important part of the related class; however, research has found that employers believe that the related class should have a broad focus and should include topics such as computational skills, communication skills, computer and other technological skills, good work attitudes, appropriate work behaviors, job seeking skills, and job coping skills.

Supervised On-The-Job Training. This training, provided by employers during their usual working hours, should involve the application of theory and specific skills common to the occupation. Indicators of quality on-the-job training include: (1) students are paid for their work, (2) the job content is meaningful, (3) adequate safety instruction is provided, (4) the job challenges the student's ability, (5) the work is related to the student's career/occupational choice, (6) the duration of the work experience is long enough for the student to perform a variety of meaningful tasks, (7) job activities foster responsibility, (8) the job provides an adequate amount of work to keep the student busy, and (9) the instruction is sequentially planned. In addition, student-learners must be employed and paid in conformity with federal and state laws and regulations and in a manner that does not result in their exploitation.

Selected Training Stations. Businesses that provide training experiences for student-learners are called training stations and should be selected after the teacher-coordinator has visited the site and determined it would be a meaningful and safe learning environment. Employers should be given the opportunity to interview and hire the student-learners of their choice; however, student-learners cannot be hired if it causes the displacement of a regular workers. A specific training sponsor should be designated who will be directly responsible for supervising the student-learner while they are on-the-job.

Training Agreements. Training agreements should include student's name, address, telephone number, date of birth, age and social security number; date employment begins; program completion date; starting rate of pay; student-learner's job title; employer's name, address, telephone number; name of student-learner's supervisor; conditions for employment; an equal opportunity statement; and signatures of the student, parent, teacher/coordinator, and employer.

Training Plans. The alteration of study and work through Cooperative Education must be well planned to ensure that student-learners acquire the skills needed for employment. The teacher-coordinator, student-learner, and training sponsor should develop a list which spells out the attitudes, skills, and knowledge which are needed by the student-learner to successfully obtain his/her occupational objective. Once these competencies have been identified, the coordinator and the training sponsor should decide if they are to be learned in the related class, on-the-job, or both. This detailed outline of sequentially planned tasks becomes the training plan. Documentation of safety instruction is a critical part of the training plan. The student-learner should be informed of the level of competency that he/she will be required to demonstrate.

Coordination. Close supervision of student's school site learning and work site training must be coordinated if both are to contribute effectively to their education and employability. Teacher-coordinators are responsible for the health, safety, welfare and educational progress of their students; consequently, a work schedule that permits adequate time for supervision of student-learners on the job is essential. Coordinators must maintain written schedules of regular visits to training stations. The following documents should be kept on file for a minimum of **five years**: training agreements, training plans, student earnings reports, student evaluations, visitation reports, age certificates, and documentation of safety instruction (lesson plans, student tests, etc.)

Evaluation. The awarding of credit for related class progress and on-the-job performance is recommended for cooperative education student-learners. Secondary students must receive a separate grade for the related class and for their on-the-job training. The training sponsor should assist the coordinator when evaluating a student-learner's progress toward the competency attainment described in the training plan, but the ultimate responsibility remains with the teacher-coordinator.

Advisory Committee. An advisory committee comprised of representatives from business, industry, and the community can assist a teacher-coordinator by: identifying possible program goals and objectives, reviewing the instructional program, determining expected program outcomes, assisting with student placements, furnishing equipment and supplies, gaining support and assistance for public relations efforts, promoting the program, identifying community problems and training needs, updating the teacher-coordinator, and providing community feedback.

COOP Program Benefits

Students are given opportunities to:

- Discover their occupational interests and abilities.
- Learn about employment opportunities and responsibilities.
- Develop and refine occupational competencies to secure employment and advance in their chosen occupation.
- Acquire specialized occupational skills which could not be taught within the school environment.
- Develop skills in working with others.
- See the relevance of in-school learning.
- Earn while they learn.

Schools who offer these programs:

- Provide an enlarged learning facility via use of community resources.
- Provide an expanded curriculum.
- Better meet the career goals of students.
- Develop and maintain a better relationship with business, industry and the community.
- Become more responsive to the employment needs of their communities.
- Contribute to the economic development of the local community and surround area.

Employers are given a chance to:

- Train potential full-time employees in their own facilities.
 - Provide input into in-school instruction.
 - Employ part-time workers who are receptive to instruction, motivated, and interested.
 - Receive training assistance.
 - Provide a valuable public service.
 - Contribute to business/industry/education partnerships.

And the *community* gains:

- Young people capable of becoming productive citizens.
- Employees trained for the local labor market.
- Better school-community relations.
- A catalyst for developing a unified community training program.

Setting up a Cooperative Education Experience

1. Locating, Approaching, and Selecting Prospective Work Sites

The first step in setting up a cooperative work experience is finding individuals and organizations who are willing to take on the responsibility of working with a student. Many districts mail interest forms to different organizations within the community to establish a pool of possible work sites. Students may also identify possible sites on their own. The cooperative work experience program depends on the maintenance of a pool of prospective work sites that match up with student educational and career objectives. Successful work sites are a valuable resource that can be utilized over and over again.

LOCATING SUITABLE TRAINING STATIONS

- ◆ From community surveys, student surveys.
- ◆ Through the advisory council.
- ◆ Through administrators and counseling offices.
- ◆ Through trade associations, Chambers of Commerce, unions, service clubs, etc.
- ◆ By observation while walking or driving through the area served by the school/college.
- ◆ Businesses that cooperated as training stations in previous years.
- ◆ Businesses that presently employ students.

APPROACHING POSSIBLE TRAINING SITES

a. The pre-approach:

- ◆ Personal contact with individual employers is absolutely necessary.
- ◆ A file should be maintained for each business on which you will have any occasion to call.
- ◆ The information you should have before making the call, in addition to that you received from your survey of the community, should include: Who does the hiring; with permission from whom? Whom you will be interviewing? What special interests the person has? If a chain, name of parent organization; names of officers in top management; chain's connection with cooperative education. If they have employed cooperative education students in the past. How long company has been in existence in the community. Unusual practices; "firsts" to its credit.

b. Preparing for the interview.

- ◆ Specific points the employer and training sponsor must know about the nature and scope of the program: The objectives of cooperative education. That the primary function of the training station is to train the student. That the monetary wage will be the same as any employee of the same level of employment and that this amount may be increased in proportion to their productivity. That the student is enrolled in classes/seminars that are directly related to his/her work. That this is best done by way of a progressive training plan worked out by the sponsor and the teacher-coordinator. That periodic ratings based on the training plan and the development of the student-learner discussed between the teacher-coordinator and the training sponsor and any problems existing should be brought to the attention of the teacher-coordinator at the earliest time. That candidates for part-time employment have had vocational counseling at the school during which they have determined tentative career objectives.

SELECTION CRITERIA

- ◆ The needs of the student-learner should be a major factor in selecting training stations.
- ◆ The training station should be located conveniently for transportation purposes.
- ◆ The industry or business should enjoy a reputation for integrity and progressiveness.
- ◆ The manager should understand cooperative education and the part his/her industry or business should play in student training.
- ◆ Management should agree to continue a student's on-the-job placement throughout the year unless the manager and the teacher-coordinator agree that termination is desirable.
- ◆ Management should be willing to allow time for the instruction of student-learners and conferences between the training sponsor and the student-learner for whose training he/she is responsible.

Setting up a Cooperative Education Experience	
2. Placing Students	Student placement in cooperative work experiences can be arranged by either the school or the student. Connecting students with work sites that will meet their needs and provide relevant experiences is the most important aspect of planning the COOP experience. Employers will want to interview prospective co-op students to ensure a good match. Programs may allow students who are already employed at a job relevant to their studies to earn COOP credit for their job experience, provided that the COOP coordinator formally approves the site.
3. Arranging Schedules	The COOP supervisor and student should arrange a work schedule that is convenient for both of them. It is best if the schedule is consistent from week to week so that the work site can prepare meaningful work experiences for the student and reinforce positive work habits.
4. Confirming Plans	Students should contact the work site supervisor to confirm arrangements and answer any questions he may have about the program.
5. Preparing Work Site Supervisors	<p>Work site supervisors must be thoroughly prepared for the cooperative work experience. Make sure that they are aware of everything that they are expected to do. Many districts prepare a handbook for work site supervisors which contains a combination of the following:</p> <ul style="list-style-type: none"> ● An overview of legal responsibilities. There are many legal issues that work site supervisors need to be aware of, such as safety concerns and child labor, discrimination and sexual harassment laws. Make sure that work site supervisors understand their legal responsibilities and potential liabilities in advance. ● Instructions for working with young people. Many professionals are unaccustomed to the unique challenges of communicating and working with young people. Remind work site supervisors that they may be faced with student attitudes and expectations that may seem unrealistic in the workplace. Encourage hosts to provide as many active learning experiences as possible. ● Activity suggestions. Remind work site supervisors that the purpose of COOP is to provide students with an environment where learning can take place. Encourage supervisors to allow students to participate in as many learning activities as possible, especially those activities which offer an opportunity to develop workplace skills. ● Checklist. Employers will probably find a checklist very useful. Checklist items might include: arranging meeting times, planning with the program coordinator to insure that academic requirements are met, signing COOP agreements, arranging student work space as appropriate, and informing students about company policies and procedures. ● Evaluation materials. Employer response to the COOP program is essential for maintaining a successful operation. Provide employers with forms on which they can evaluate student participation, as well as the program itself.

Setting up a Cooperative Education Experience

6. Preparing Students

Students need to be thoroughly prepared before embarking on a cooperative work experience. In addition to classroom preparation that focuses on career research and exploration and skills that will be applied at the work site, there are practical concerns to be addressed as well. Many districts provide students with a COOP handbook which contains a combination of the following:

- **Cooperative work experience agreements.** These agreements outline the responsibilities of both the work site supervisor and the student, as well as the purpose of and academic expectations for the COOP experience. The forms should be signed by the student and the work site supervisor, as well as the program coordinator. Parent/guardian signature may be necessary for minor students.

- **Outline of dress and behavior expectations.** While classroom preparation for career exploration activities usually covers this information, it never hurts to reinforce the message that dress and behavior standards in the workplace are different than those at school. Remind students that they are representing the program and the school, as well as themselves. The coordinator should be aware of dress code at each work site and discuss appropriate attire with students. Students should also be informed about sexual harassment issues.

- **Goals/Objectives worksheet.** Students, work site supervisors and program coordinators need to work together to develop a list of goals and objectives for the COOP experience. The list should include skills the student needs to acquire and/or practice and concepts the student needs to understand and apply. Goals and objectives should relate directly to classroom work and career development activities which the cooperative work experience supports.

- **Checklist.** Give students a checklist which includes everything they need to do to prepare for the cooperative work experience. Preparing resumes, developing objectives, contacting employers, arranging schedules and transportation (if necessary) and doing background research are all possible checklist items.

- **Evaluation materials.** Students will be evaluated by their work site supervisors throughout the COOP experience. Provide students with copies of the evaluation forms so that they can be informed about the basis of their evaluations. Ask student to evaluate their cooperative work experiences, as well. Students should be encouraged to write or talk about their experiences as a means of better understanding what they have learned. Student evaluations of the program can also be helpful as an element of ongoing program improvement.

Connecting the Classroom and the Work Site

It is important to make the COOP experience meaningful by connecting it to classroom learning. Connecting activities can take many forms, and should take place at all stages of the COOP experience.

Pre-Experience Activities	<ul style="list-style-type: none"> ◆ Students research the general career fields and specific organizations in which they will be working ◆ Students write about their preconceptions and expectations related to the organization in which their experiences will take place ◆ Students prepare questions to ask their supervisors and colleagues based on their research and writing ◆ Students and teachers discuss professional standards for behavior and dress ◆ Teachers emphasize practical applications of the concepts and skills they teach in class
On-Site Activities	<ul style="list-style-type: none"> ◆ Students learn actual job skills by participating in work-related activities ◆ Students observe and participate in practical applications of academic concepts ◆ Students work toward achieving individual goals and objectives
Seminar	<p>Seminars provide students with opportunities to better understand their COOP experiences and enhance their learning. Seminar schedules can vary from three meetings per term to as often as once a week. Curriculum can include:</p> <ul style="list-style-type: none"> ◆ Job search skills and techniques, such as resume writing and interviewing skills ◆ How to develop goals and objectives ◆ Reflective assignments, such as weekly logs and journals ◆ Education on workplace issues such as sexual harassment, workplace basics, managing conflict, responding to criticism, labor laws, discrimination, and professionalism ◆ Workplace skills and techniques related to student placements ◆ Guest speakers ◆ Round-table discussions ◆ Collaborative learning activities ◆ Values clarification ◆ Term projects in which students extend beyond the COOP experience through in-depth investigation ◆ Career exploration activities, including informational interviewing and research on continuing educational opportunities
Post-Experience Activities	<ul style="list-style-type: none"> ◆ Students write about the differences between their expectations and the realities of the workplace ◆ Students and teachers discuss the connections they see between classroom learning and the workplace ◆ Students continue their career research in light of what they have learned during the COOP experience

Sample Forms

Cooperative Education/Diversified Occupations

The forms on the following pages provide the structure required to make these opportunities a valuable experience for both the student and the employer.

TITLE	DESCRIPTION	PAGE #
Evaluation of Prospective Training Station	The form is to be used by the COOP coordinator to evaluate prospective work sites as training stations.	10
COOP/DO Training Agreement	Agreement signed by the student, parents, school coordinator, and employer that spells out the responsibilities of all parties.	11
Student Learner Exemption Agreement	This agreement should be completed if the student learner is working in one of the seven exempt hazardous occupations.	12
Insurance and Emergency Information	Insurance, medical, and family information for student.	13
WBL Transportation Agreement	Agreement signed by parents, student, and WBL coordinator that authorizes a student to drive or ride in a privately owned vehicle to the work site.	14
Training Plan and Progress Report	This form outlines the expectations of all parties involved and delineates competencies to be attained.	15-19
Summer Addendum Training Agreement	Clarifies the agreed upon responsibilities of the student, parent, school, and employer throughout the interim period of summer employment.	20
Parent Information Letter	Sent by WBL coordinator informing parents of child's participation.	21
Student Time/Wage Report	Record of time spent at the work site to be completed by the student each week. Record of student's weekly earning.	22
Student Evaluation	This evaluation should be completed by the student's employer on a quarterly basis and discussed with the student by the employer and school coordinator to assess progress towards attainment of established competencies.	23
Former Student Follow up Survey	This form should be sent to students who participated in the program to determine the program's impact on employment and education.	24-25
Record of Coordinator Visits	This form is used to keep track of coordinator visits to student employment sites.	26
List of Students in the Program	Record of the name, social security number, and work site information for all students in the program.	27
Nebraska COOP/DO Program Standards	Nebraska COOP/DO standards that must be met by schools seeking approval of their programs.	23-30
Overview of WBL Legal Issues	A brochure that provides an overview of the conditions for employment of youth under the age of 18.	31-32
Non-Agricultural Occupations Brochure	A brochure that describes the legal conditions for employment of youth under the age of 18 in non-agricultural occupations.	33-34
Agricultural Occupations Brochure	A brochure that describes the legal conditions for employment of youth under the age of 18 in agricultural occupations.	35-36

SAMPLE**EVALUATION OF PROSPECTIVE TRAINING STATION**

Name of Firm _____ Date Visited _____

Address _____ Owner's Name _____

Contact Person _____ Title _____ Dept. _____

Phone _____ Type of Business _____ No. of Workers _____

Possible Beginning Jobs for Work Stations:

Job Title _____ No. of Workers at this level _____

Job Title _____ No. of Workers at this level _____

RATING FACTORS	Excellent (4)	Good (3)	Fair (2)	Poor (1)	Reason
1. Management interest in training program					
2. Supervisors' interest in student-learners					
3. Suitable occupations for training					
4. Student-learners accepted as part of regular work force					
5. Opportunity for variety of work experience					
6. Employment opportunity after graduation					
7. Opportunity for advancement					
8. Student-learner would not displace regular worker.					
9. Student-learner pay scale commensurate with others in same job					
10. Proximity to educational institution					
11. Lack of hazards (morals, hours, dangers)					
12. Equal opportunity employer					
13. Facilities handicap accessible					
14. Adequate, modern facilities and equipment					
Overall Evaluation (Check One)	Excellent <input type="checkbox"/>	Good <input type="checkbox"/>	Fair <input type="checkbox"/>	Poor <input type="checkbox"/>	Total Points

Possible Job Supervisors: Name _____ Title _____ Dept. _____

Name _____ Title _____ Dept. _____

Comments: _____

Teacher-Coordinator Signature _____

SAMPLE

COOPERATIVE EDUCATION/ DIVERSIFIED OCCUPATIONS (COOP/DO) TRAINING AGREEMENT

This agreement is part of Federal and State work-based learning guidelines to provide students the opportunity to make the transition from school to work and to be prepared to compete for the emerging high skills technology careers for the twenty-first century.

Student's Name _____ SS # _____ Date of Birth _____ Age _____
Address _____ City _____ State _____ Zip _____
Home Phone _____ Date of Birth _____ Grade Level _____
School Coordinator _____ Phone # _____
School Name _____ School Location: _____
Parent Guardian _____ Phone # _____
Supervisor's Name _____ Phone # _____
Place of Employment _____ Address _____
Career Cluster _____ Title of Student's Position _____
Date Assignment Starts _____ Planned Ending Date _____
of Days per Week _____ # of Hours per Day _____ Hours _____ A.M. Hours _____ P.M.
Travel arrangements _____

ALL PARTIES JOINTLY AGREE TO THE FOLLOWING

School Coordinator Responsibilities

- Coordinator will work with the student-learner in obtaining a COOP experience at a business/industry site directly related to his/her occupational interest.
- Coordinator will visit student at the training station.
- Coordinator will establish a close working relationship with the person to whom the student trainee is responsible while on the job.
- Coordinator will attempt to resolve any complaints through the cooperative efforts of all parties concerned.
- Coordinator will maintain appropriate records.

Student Responsibilities

- Student is responsible for contacting the employer to set up employment interview.
- Student agrees to follow rules and guidelines established by the school, employer and coordinator with regard to hours of work, school attendance and reporting procedures.
- Student will remain in the COOP position for the agreed upon period.

Parent Responsibilities

- Parent or guardian shall be responsible to the school for the conduct of the student participating in the program.
- Parent or guardian will provide transportation for the student to and from the employment site.

Employer Responsibilities

- Employer will provide monetary compensation to the student for participation in the program.
- Employer may not displace a regular worker to hire the student-learner.
- Employer will accept students into the program and place them in employment without regard to race, sex, color, religion, national origin, marital status, age, handicap, or disadvantage.
- Employer will provide safety instruction.
- Employer will provide appropriate accident, liability, and workers' compensation insurance coverage.
- Employer shall conform with all federal, state, and local labor laws.
- Employer will provide regular evaluations of the student.
- Employer may terminate the student-learner, after consultation with the coordinator, for due cause, or for unforeseen business conditions.

HAZARDOUS OCCUPATIONS EXCEPTION. Will the student be involved in a hazardous occupation as defined under the Federal Child Labor guidelines? _____ YES _____ NO (If yes, complete the **Student Learner Exemption Agreement**.)

INSURANCE AND EMERGENCY INFORMATION. An **Insurance and Emergency Information Form** should be completed and signed before student begins their work experience.

SIGNATURES

I give permission for my son/daughter to be released from school to participate in the program described above and agree with the travel arrangements listed. I understand that school personnel may not have visited the site, may not have met the employer, and will not be present when student is working at the site.

Parent/Guardian _____ Date _____ Student _____ Date _____
School Coordinator _____ Date _____ Employer _____ Date _____

SAMPLE

**WORK BASED LEARNING (WBL)
Federal Child Labor Law Hazardous Occupation
STUDENT LEARNER EXEMPTION AGREEMENT**

STUDENT/WORK SITE DATA

Student's Name _____ SS # _____ Age _____
Address _____ City _____ State _____ Zip _____
Home Phone _____ Date of Birth _____ Grade Level _____
WBL Coordinator _____ Phone # _____
School _____
Parent Guardian _____ Phone # _____
Apprenticeship Site _____ Phone # _____ Address _____
Date Assignment Starts _____ Planned Ending Date _____
Travel Arrangements _____

16 AND 17 YEAR OLDS LEARNERS

With the *Student Learner Exemption Agreement* students can be employed in specific occupations declared hazardous by the Federal Child Labor Law. This agreement may only be executed in approved WBL programs that provide specific skills training and result in placement of students in employment specifically related to that training. This agreement only applies to 16- and 17-year old student learners and specific occupations.

CHECK THE HAZARDOUS OCCUPATION(S) FOR WHICH THE EXEMPTION APPLIES:

- _____ On a scaffolding, roof, superstructure, residential building construction, or ladder above 6 feet.
- _____ In the operation of power-driven woodworking machines.
- _____ In the operation of power-driven metal forming, punching, or shearing machines.
- _____ Slaughtering, meat packing, processing, or rendering, except as provided in 29 C.F.R. part 570.61 (c).
- _____ In the operation of power-driven paper products and printing machines.
- _____ Excavation operations.
- _____ Working on electric apparatus or wiring.
- _____ Operating or assisting to operate, including starting, stopping, connecting or disconnecting, feeding, or any activity involving physical contact associated with operating tractors over 20 PTO horsepower, any trencher or earthmoving equipment, fork lift, or any harvesting, planting, or plowing machinery, or any moving machinery.

In accordance with Section 450.061 (2), the undersigned attest to the following:

- (1) The student learner is enrolled in a youth vocational training program under a recognized state or local educational authority.
- (2) The work of the student learner in the occupation declared particularly hazardous is incidental to the training received.
- (3) The work performed shall be intermittent and for short periods of time and under the direct and close supervision of a qualified and experienced person.
- (4) That safety instructions shall be given by the school and correlated by the employer with on-the- job training.
- (5) That the student has a schedule of organized and progressive work processes to perform on the job.

Student's Name (type or print)

Student's Signature

Parent's/Guardian's Name (type or print)

Parent's/Guardian's Signature

Employer's Name (type or print)

Employer's Signature

Coordinator's Name (type or print)

Coordinator's Signature

Principal's Name (type or print)

Principal's Signature

Optional: Superintendent's Name (type or print)

Optional: Superintendent's Signature

A copy of this agreement shall be maintained by the employer and the school.

SAMPLE

**WORK BASED LEARNING (WBL)
INSURANCE AND EMERGENCY INFORMATION**

PERSONAL DATA

Student's Name _____ Birth Date _____

Student's Home Address _____ City _____ State _____ Zip _____

Student's Social Security Number _____ Home Phone _____

School Name _____ Address _____ Phone _____

INSURANCE COVERAGE

<u>Insurance Coverage</u>	<u>Yes/No</u>	<u>Family</u>	<u>School</u>	<u>Employer</u>
Liability and/or Bonding	_____	_____	_____	_____
Workers' Compensation	_____	_____	_____	_____
Health/Accident	_____	_____	_____	_____

Name of H/A Ins. Co. _____ Insured _____ Policy # _____

NOTE: Please identify who is providing coverage by placing an (X) in the appropriate box.

STUDENT MEDICAL INFORMATION

List medical information about the student that would be helpful in case of an emergency.

Allergic to medications? _____ YES _____ NO

If yes, what medications? _____

List any allergies or other medical problems of the student. _____

FAMILY INFORMATION

Parent/Guardian Name _____ Work Phone _____

Work Name/Address _____

Parent/Guardian Name _____ Work Phone _____

Work Name/Address _____

Parent/Guardian Home Address _____ Home Phone _____

Emergency Contact _____ Phone _____

SIGNATURES

I consent for my child to receive emergency medical treatment in case of injury or illness. The information provided is accurate to the best of my knowledge.

Parent/Guardian's Signature _____ Date _____

Student's Signature _____ Date _____

Note: This form should be kept on file at school. If student is participating in a WBL activity, a copy should also be on file at the work site.

SAMPLE**WBL TRANSPORTATION AGREEMENT****Parent/Guardian Permission Authorizing
Student Transportation by Privately Owned Vehicles**

_____ Public Schools requests and expects that students who participate in work based learning (WBL) programs be transported to their work site by use of a commercial common carrier (i.e. public transportation by bus) when feasible. However, because of the general unavailability and inconvenience of such transportation, it is sometimes necessary for students and/or parents/guardians to provide other transportation.

If a student wishes to drive or ride in a privately owned vehicle, and if the conditions listed in this form are met and approved by the parent or guardian, then this instrument will serve to let the student, the participating school, and the school district know that the parent/guardian desires to have the student drive or ride in a privately owned vehicle. Parents/guardians who wish to permit their son/daughter or ward to drive or ride in a privately owned vehicle will explain or advise their child or ward that full responsibility for all passengers lies with the driver and/or the driver's parents or guardians.

Permission is granted for the student to drive or ride to or from the work site in a privately owned vehicle only if all of the following conditions are met:

- The student driver provides verification that he/she possesses a current driver's license and proper insurance coverage.
- Transportation is limited to the student driver and a maximum of one passenger and preferably no passengers.
- The sole purpose of the transportation is getting to and from the work site.
- The parent/guardian, student, and WBL coordinator sign this transportation agreement.

-
1. I, the Parent/Guardian of the below-signed student, hereby authorize my son or daughter to drive or ride in a privately owned vehicle to and from a work site. I am aware of the risks and circumstances of transportation by privately owned vehicle instead of by commercial common carrier. I have considered these risks and have decided that my child or ward may use transportation by private vehicle instead of by commercial common carrier (i.e., city bus). My signature on this form indicates that I authorize permission for private transportation. I also agree to hold _____ Public Schools harmless in the event of injury to the student including any property damages while the student is driving to and from work by transportation other than that provided by _____ Public Schools.

In consideration of the student being permitted to participate in the WBL program of _____ Public Schools, (hereinafter "School District"), each of the undersigned, for himself or herself, personal representatives, heirs, assigns and next of kin, agrees and does hereby release the School District, all current, former, and future employees, and members of the School Board of the School District, and their heirs, executors, administrators, successors and assigns from any and all liability, claims, demands, costs, charges and expenses incident to any property damage and personal injuries sustained by the student while driving to and from the work site.

The undersigned has read and voluntarily signs this permission and the release and waiver of liability. The undersigned agrees that no oral representations, statements, or inducements apart from the foregoing written agreement have been made.

Parent/Guardian Signature

Date

Telephone

3. I hereby request permission to drive or ride in a privately owned vehicle to my work site.

Student Signature

Date

Telephone

4. As a WBL Coordinator in the _____ Public Schools, I have signed this form only to acknowledge that the form has been received, completely filled out, signed, and filed in my office.

WBL Coordinator Signature

Date

Telephone

**COOPERATIVE EDUCATION (COOP)
TRAINING PLAN AND PROGRESS REPORT**

The Coop Program is designed as an educational partnership between _____
(School/Partnership), and _____ (Employer).

STUDENT/WORK SITE DATA

Student's Name _____ SS # _____ Age _____

Address _____ City _____ State _____ Zip _____

Home Phone _____ Date of Birth _____ Grade Level _____

WBL Coordinator _____ Phone # _____

School/Address _____

Parent Guardian _____ Phone # _____

Student Career Objective _____

COOP Site _____ **Phone #** _____ **Address** _____

Work Site Supervisor _____ **Phone #** _____

Date Assignment Starts _____ **Planned Ending Date** _____

Travel Arrangements _____

GENERAL REQUIREMENTS

STUDENT TRAINING PLAN: The student training plan will include competencies to be mastered, connection of school site and work site competencies, career development information, and training activities scheduled for the school year.

WAGES: Wages must be paid during the training program in accordance with state and federal labor laws.

SCHEDULE OF CLASSES: Students participating in the program may train at the work site up to four hours a day, 20 hours per week. Training schedules will generally follow the school schedule regarding school days and holidays.

EXPECTATIONS: Upon graduation from high school, the student successfully completing the program will receive a high school diploma and may receive a certificate of mastery upon successfully completing the expected competency levels. The student will be prepared to enter the work force, pursue an associate degree at a two-year college, or apply for admission to a four-year college or university.

OBJECTIVES

The objective of the program is to give students the opportunity to gain work experience through the school-to-career setting, which may lead to a certificate of mastery. This would be accomplished by placing the student-learners in part time employment approximately 5 to 20 hours per week. Credit towards completion of an associates degree may be concurrently earned by the student-learner.

RESPONSIBILITIES

THE STUDENT WILL:

- ◆ Be prompt and maintain regular attendance at school and the training site.
- ◆ Obey all rules and regulations at school and the training site.
- ◆ Maintain high academic and training standards.
- ◆ Call appropriate school and training personnel if late or absent for reasons beyond the student's control.
- ◆ Arrive at training site appropriately dressed.
- ◆ Communicate openly with school coordinator or training mentor concerning any problems, concerns, or conditions that are interfering with progress at school or the training site.

THE PARENT(S) OR GUARDIAN WILL:

- ◆ Grant permission and give support for school-to-careers participation.
- ◆ Inform instructor/coordinator of information vital to the performance and success of the student.
- ◆ Provide transportation to and from the training site.
- ◆ Attend any meetings or activities to promote or monitor the student's progress.
- ◆ Provide appropriate medical insurance coverage.

EMPLOYER TRAINING PARTNER WILL:

- ◆ Interview and select students for the program.
- ◆ Provide a comprehensive training plan developed in coordination with the school districts. The plan includes work site competencies and school site competencies (see attached lists).
- ◆ Appoint a training supervisor/mentor for the student.
- ◆ Provide appropriate training space and equipment.
- ◆ Ensure that appropriate accident, liability, and workers' compensation insurance coverage is provided.
- ◆ Assess student's progress on a regular basis.
- ◆ Notify the sending school if the student is absent without notification.
- ◆ Provide safety instruction for student training.
- ◆ Permit the school's representative(s) to visit the student and supervisor at training site.
- ◆ Not displace a regular employee.
- ◆ Maintain appropriate records.

THE SCHOOL WILL:

- ◆ Appoint a coordinator to assist students at school and the training site.
- ◆ Work with the employer training partner in developing a comprehensive training plan that includes work based and school-based competencies.
- ◆ Monitor each student's progress at the training site periodically.
- ◆ Assist students in planning and integrating school curriculum and training with emphasis, where possible, on applied academics and related occupational courses.
- ◆ Adjust class schedules when necessary to accommodate students.
- ◆ Provide individual career guidance to assist the student in deciding the next career progression step after high school.
- ◆ Assess student performance.
- ◆ Award school credit for the education/training.
- ◆ Ensure that appropriate accident, liability, and workers' compensation insurance coverage is provided.
- ◆ Maintain appropriate records.

WORK SITE COMPETENCIES

4=Skilled	3=Moderately Skilled	2=Limitedly Skilled	1=Unsuccessful	0=No Exposure
-----------	----------------------	---------------------	----------------	---------------

WORK COMPETENCIES	GRADING PERIODS					
	1	2	3	4	5	6
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						
15.						
16.						
17.						
18.						
19.						
20.						
21.						
22.						

If additional space is needed, attach an extra sheet of paper.

SCHOOL SITE COMPETENCIES

4=Skilled 3=Moderately Skilled 2=Limitedly Skilled 1=Unsuccessful 0=No Exposure

SCHOOL COMPETENCIES	GRADING PERIODS					
	1	2	3	4	5	6
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						
15.						
16.						
17.						
18.						
19.						
20.						
21.						
22.						

If additional space is needed, attach an extra sheet of paper.

TERMINATION

This agreement may be terminated for any of the following reasons: nonperformance on the part of the student or employer, relocation of either the student or employer, or change in the student's career choice. The employer and student must be notified prior to termination by the student.

SIGNATURES

_____ Student	_____ Date	_____ Parent/Guardian	_____ Date
_____ High School Principal	_____ Date	_____ Worksite Supervisor	_____ Date
_____ School Site Instructor	_____ Date	_____ School/District WBL Coordinator	_____ Date

NOTE: It is the policy of the school district that no person on the basis of race, color, religion, national origin or ancestry, age, sex, marital status, handicap, or disadvantage should be discriminated against, excluded from participation in, denied the benefits of or otherwise be subjected to discrimination in any program or activity

SAMPLE

**Summer Employment Addendum
to the COOPERATIVE EDUCATION/
DIVERSIFIED OCCUPATIONS (COOP/DO)
TRAINING AGREEMENT**

During the school year, cooperative education students participate in both school-site learning (classroom instruction) and work-site learning (on-the-job training). They earn school credit and receive a separate grade for both experiences. To provide continuity in the students work based learning experience and preserve a position for the student at the training station it is often desirable for employment to continue throughout the summer months. The purpose of this Summer Employment Addendum to the COOP/DO Training Agreement is to clarify the responsibilities of all parties during this interim period of time.

Student's Name _____ SS # _____ Date of Birth _____ Age _____
Address _____ City _____ State _____ Zip _____
Home Phone _____ Date of Birth _____ Grade Level _____
School Coordinator _____ Phone # _____
School Name _____ School Location: _____
Parent Guardian _____ Phone # _____

Supervisor's Name _____ Phone # _____
Place of Employment _____ Address _____
Career Cluster _____ Title of Student's Position _____
Date Assignment Starts _____ Planned Ending Date _____
of Days per Week _____ # of Hours per Day _____ Hours _____ A.M. Hours P.M. _____
Travel arrangements _____

**ALL PARTIES JOINTLY AGREE TO THE FOLLOWING TERMS
(IN ADDITION TO THOSE TERMS STATED IN THE
ATTACHED TRAINING AGREEMENT and TRAINING PLAN)**

Although the student is not enrolled in school-site learning (classroom instruction) during the summer and is not receiving school credit for the work-site learning (on-the-job training), **he/she will still be considered to be enrolled in a course of study and training in a State recognized COOP/DO Program if:**

1. The COOP/Do Program at the school meets State program standards during the school year preceding and following the summer training.
2. The school coordinator maintains a record of monthly contacts with the employer throughout the summer .
3. The employer agrees to contact the school coordinator immediately if problems arise with the student's performance or attendance.
4. The student training plan established for the school year is extended to include summer employment.
5. Safety instruction has been provided by the school and/or employer and student competency/mastery is documented.
6. The employer agrees to provide *direct* and *close* supervision of the student by a qualified person over the age of 18.
7. The hazardous portion of the student's work is *incidental* to training.
8. The hazardous portion of the student's work is *intermittent* and for *short* periods of time.

SIGNATURES

School personnel will not be present when the student is at the work site and will not be responsible for the student-learner. Although the student is not participating in classroom instruction during the summer months and not receiving school credit for the on-the-job training, he/she is still officially enrolled in a State-recognized cooperative education program and is expected to conform to the terms set forth in the attached training agreement (dated _____) and training plan (dated _____). All signatories agree to comply with the responsibilities specified in this training agreement addendum.

Parent/Guardian _____ Date _____
Student _____ Date _____
School Coordinator _____ Date _____
Employer _____ Date _____

To be valid, the following signed forms must be attached to this Addendum: (1) Training Agreement, (2) Training Plan, (3) Student Learner Exemption Agreement (if student will be involved in a hazardous occupation as defined under the Federal Child Labor guidelines), and (4) Insurance and Emergency Information.

Return this form with all signatures at least 5 days before your program begins.

SAMPLE

**COOPERATIVE EDUCATION (COOP)
PARENT INFORMATION LETTER**
(Sent on school letterhead)

Date

Parent's Name

Address

City/State/Zip

Dear _____:

Your son/daughter has registered to participate in the Cooperative Education Internship Program at _____ High School. This is a structured work based learning program whereby students in the 11th and 12th grade receive school site occupational instruction and related paid work site experience for application of that instruction. Cooperative education offers students a chance to extend the classroom into a workplace setting, combining classroom activities with actual work experience. The purpose is to provide students the opportunity to connect what they learn in school with work site application to enable a smooth transition into the work force or postsecondary education upon high school graduation.

All students will interview for positions in local businesses. The final placement of students is based on the employer's decision. Students and parents will be asked to sign and abide by a contractual training agreement, which must be signed before the student begin the placement for high school credit.

Work site evaluation of the student-learner's performance will be conducted by the employer and discussed with the student by the employer and school coordinator to assess progress towards attainment of established competencies. School personnel will conduct regular on-site visits to monitor the student-learners progress.

I am looking forward to working with you and your son/daughter during this school year. If you have any questions, please feel free to contact me at school (phone #) or at home (phone #).

Sincerely,

Name

Cooperative Education Program

Teacher/Coordinator

SAMPLE

**COOPERATIVE EDUCATION (COOP)
STUDENT TIME/WAGE REPORT**

Student Name _____ Due Date _____ Rate of Pay _____

Training Station Manager/Employer _____

Program Title _____ Teacher _____

Student: This time/wage report must be signed by your training station manager/employer and turned in each Monday following the training week to the teacher of your related instruction class.

List things you did or learned this week:

1. _____
2. _____
3. _____

Date	Day of Week	Start Time	End Time	Regular Hours	Overtime Hours	Total Hours	Weekly Earnings
TOTALS							

<hr/>	<hr/>
Training Station Manager/Employer's Signature	Date
Optional Comments: _____	

14-15 year olds: Maximum of 3 hours/school day; 8 hours/non-school day
Maximum of 18 hours/school week; 40 hours/non-school week

16-17 year olds: Recommended maximum of 4 hours/school day; 8 hours/non-school day
Recommended maximum of 30 hours/school week; 40 hours/non-school week

Classroom attendance is in addition to on-the-job training attendance.

SAMPLE**COOPERATIVE EDUCATION (COOP)
EMPLOYER EVALUATION OF STUDENT PERFORMANCE**

Student Name _____ For the Period _____ 20 ____
Employer _____ Job Title _____
Name of Supervisor _____

Instructions:

This report is to be completed by the student's immediate supervisor, discussed with the student, signed by both the supervisor and the student and returned to the school coordinator by mail or during a visit. In the space at the left, check the phrase that describes this student learner most accurately. Total the value for all the responses and record in the Total Scores section.

Productivity

- 0 _____ Fails to do an adequate job
1 _____ Does just enough to get by
2 _____ Maintains constant level of performance
3 _____ Very industrious; does more than is required
4 _____ Superior work production record

Ability to Follow Instructions

- 0 _____ Seems unable to follow instructions
1 _____ Needs repeated detailed instructions
2 _____ Follows most instructions with little difficulty
3 _____ Follows instructions with no difficulty
4 _____ Uses initiative in interpreting and following instructions

Initiative

- 0 _____ Always attempts to avoid work
1 _____ Sometimes attempts to avoid work
2 _____ Does assigned job willingly
3 _____ Does more than assigned job willingly
4 _____ Shows originality/resourcefulness in going beyond assigned job

Quality of Work

- 0 _____ Does almost no acceptable work
1 _____ Does less than required amount of satisfactory work
2 _____ Does normal amount of acceptable work
3 _____ Does more than required amount of neat, accurate work
4 _____ Shows special aptitude for doing neat, accurate work beyond required amount

Dependability

- 0 _____ Unreliable, even under careful supervision
1 _____ Sometimes fails in obligations, even under supervision
2 _____ Meets obligations under supervision
3 _____ Meets obligations under very little supervision
4 _____ Meets all obligations without supervision

Cooperation

- 0 _____ Uncooperative, antagonistic
1 _____ Cooperates reluctantly
2 _____ Cooperates willingly when asked
3 _____ Cooperates eagerly and cheerfully
4 _____ Always cooperates eagerly and cheerfully

Ability to Get Along with People

- 0 _____ Frequently rude and unfriendly - uncooperative
1 _____ Has some difficulty working with others
2 _____ Usually gets along well with people
3 _____ Is poised, courteous, and tactful with people
4 _____ Exceptionally well accepted by peers, customers and supervisors

Attendance

- 0 _____ Often absent without good excuse and/or frequently late
1 _____ Lax attendance and/or frequently late
2 _____ Usually present and on time
3 _____ Very prompt and regular in attendance
4 _____ Always prompt and regular; volunteers for overtime when asked

Appearance

- 0 _____ Untidy or inappropriately groomed
1 _____ Sometimes neglectful of appearance
2 _____ Satisfactory appearance
3 _____ Careful about personal appearance
4 _____ Exceptionally neat and appropriately groomed

TOTAL SCORE**Overall Estimate of Student's Work (Employer's Grade)**

- Poor (Below 20)
Below Average (20-25)
Average (26-30)
Above average (31-35)
Outstanding (36-40)

Progress toward completion of Work Site Competencies outlined in the Student's Training Plan and Progress Report: _____ Satisfactory
_____ Unsatisfactory

Comments _____

Supervisor Signature _____

Date _____

Student Signature _____

Date _____

Coordinator Signature _____

Date _____

Coordinator's Grade _____

SAMPLE**COOPERATIVE EDUCATION (COOP)
FORMER STUDENT FOLLOW UP**

Please complete this survey regarding your participation in the Cooperative Education Program at _____. While you are not required to respond, your cooperation is needed to ensure that the results of this effort are comprehensive, reliable, and timely. The responses that you give will be kept strictly confidential.

1. What is your current educational status? (Check one)
 - ☐ Full-time student
 - ☐ Part-time student
 - ☐ Not currently attending school
2. What is your highest level of educational attainment? (Check one)
 - ☐ High School Diploma
 - ☐ Associates Degree
 - ☐ 2-Year Certificate
 - ☐ Certificate of Mastery
 - ☐ Baccalaureate Degree
 - ☐ Masters Degree
 - ☐ Ph.D.
 - ☐ Other _____
3. What is your current employment status? (Check one.)
 - ☐ Employed Includes all employment, including full-time military service..
 - ☐ Employed Full-time military service.
 - ☐ Unemployed Not employed, but actively seeking employment.
 - ☐ Not in the Labor Force Not employed and not seeking employment because of choice, illness, full-time student status, retirement, pregnancy, or other such reason.

NOTE: If you are currently employed, please answer the remaining questions. Otherwise skip to item #8.

4. Please provide the following information regarding your current job:

Name of Company or Firm (If self-employed, please write self.)

Company or Firm Mailing Address

City State Zip Code

Your Immediate Supervisor: Last Name First Name M.I.

The State Department of Vocational Education may contact my immediate supervisor regarding the vocational training I received.

Your Signature

Printed Name

Year in which you completed vocational program

FORMER STUDENT FOLLOW-UP SURVEY

Page 2

CURRENT JOB INFORMATION

Job Title _____

Job Duties _____

5. What is your current salary before deductions? (Do not add overtime)

\$ _____ per _____

6. The salary in the preceding item is based on how many hours per week employment?

_____ hours per week

7. Is the job related to your field of vocational training?

- ☐ Yes, it is directly or closely related. (If yes, skip item #8)
☐ No, it is only remotely related or is not related at all. (If no, answer item #8.)

8. Have you ever been employed in a job directly or closely related to your field of vocational training since you completed or left your program?

- ☐ Yes
☐ No

**Thank you very much for your cooperation.
Please return this form in the enclosed envelope.
No postage is required.**

SAMPLE

**COOPERATIVE EDUCATION (COOP)
RECORD OF COORDINATOR VISITS**

Program Title _____ **Teacher** _____

*Date of Visit	Name of Student	Employer Site Visited	Teacher's Observations

Training stations should be visited at least once every four weeks. (No less than every second visit should include an observation of the student engaged in on-the-job training experiences.)

SAMPLE**COOPERATIVE EDUCATION (COOP)
LIST OF STUDENTS IN THE PROGRAM****PROGRAM AREA/SCHOOL**

Student's Name	Social Security Number	Date of Birth	Student Job Title	Work Based Site	Site Supervisor	Phone Number	Dates of Employment
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							
14.							
15.							

Nebraska Program Standards
COOPERATIVE EDUCATION - DIVERSIFIED OCCUPATIONS
A School-Site and Work-Site Work-Based Learning (WBL) Program

Secondary School _____

Career and Technical Educational Program _____

	Met	In Progress	Not Met
Qualified Instructional Personnel			
1. The instructor(s) participates in professional development activities to update content knowledge and pedagogy.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. The instructor(s) communicates program goals and objectives to the school and community.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Curriculum			
1. The program meets applicable local and state standards.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. The curriculum is evaluated and revised on an ongoing basis to incorporate best practices and the state curriculum framework.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Courses of study are planned and sequenced with clearly defined instructional objectives.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Partnerships			
1. Community partnerships are utilized as resources to assist in program improvement.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Instructional Strategies			
1. Appropriate instructional and assessment strategies are utilized to accommodate the needs of diverse student learners.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. The program offers opportunities for students to participate in career exploration and/or a work-based learning experience.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. The program addresses bias and stereotyping and applies equity strategies that support knowledge and skill development for all students.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. The program engages students in specific activities designed to enhance basic skills and integrate knowledge across curriculum areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. The program is linked from secondary to postsecondary education.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Assessment Each program can verify and document:			
1. Student attainment of state academic standards.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Student attainment of occupational/technical skill proficiencies.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Student attainment of employability skills.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Student attainment of a secondary school diploma.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Retention of students in vocational educational programs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Completion of the vocational education program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Placement in postsecondary (2-year or 4-year) education, military service, advanced training or employment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Participation of students in training that leads to employment in nontraditional occupations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Student satisfaction with the academic and occupational skills gained.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Employer satisfaction with the academic and occupational skills gained.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

STANDARDS

- A. Scope & Sequence.** The program is of such scope and sequence to develop essential knowledge and skills.

Recommended:

MIDDLE/JUNIOR HIGH SCHOOL (Grades 5 - 9)
The equivalent of one quarter of Workplace Readiness and one quarter of a Career Exploration

Required:

HIGH SCHOOL (Grades 9 - 12)

The core Cooperative Education/Diversified Occupations program will offer the following courses:

- School-Site Learning (SSL).** A regularly scheduled related class devoted to the employability skills and safety instruction required for the occupational area of students' employment. This class shall be taught by a qualified teacher/coordinator and will meet concurrently with the student's work-site learning experience.
- Work-Site Learning (WSL).** A supervised on-the-job learning experience where the student is employed and paid in conformity with Federal and State laws.

B. Curriculum/Instructional Strategies

Required:

- Student Evaluation.** Each cooperative education student shall receive two grades: one for the **SSL related class** and one for the **WSL experience**.
- Training Stations.** Selected to insure a meaningful and accountable learning experiences for student and to communicate essential program components to employers.
- Assessment.** Training agreements, training plans, earnings reports, evaluations, and coordination visitation records completed and maintained for five years.
- Coordination Time.** A minimum of one class period daily, or the equivalent, for supervision of students at their training station. Reimbursed for travel expenses incurred while supervising students and/or setting up training stations.

Recommended:

- WBL Action Plan.** A district- or school-wide work-based learning plan for all students is in place that is reviewed annually and that provides K-12 work-based learning options leading to a culminating work-site learning experience, and advisory committee utilization.
- Extended Employment.** Additional contract days throughout the school year and/or throughout the summer to set up training stations, write training plans, and complete student assessments.
- Professional Development.** Teacher/coordinator involvement in activities that update their skills as well as provide a career focus.
- Student Organizations.** Student involvement in leadership/teamwork/community service activities.

DOCUMENTATION

- A. Check all courses offered at some time during the current year. Circle any courses required of all students.**

MIDDLE/JR HIGH SCHOOL	# Weeks	Grade Level
<input type="checkbox"/> Workplace Readiness	_____	_____
<input type="checkbox"/> Career Exploration	_____	_____
Other _____	_____	_____

HIGH SCHOOL (Grades 9 - 12)

A.	Met	In Progress	Not Met
----	-----	-------------	---------

1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
----	--------------------------	--------------------------	--------------------------

2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
----	--------------------------	--------------------------	--------------------------

B.	Met	In Progress	Not Met
----	-----	-------------	---------

1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
----	--------------------------	--------------------------	--------------------------

2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
----	--------------------------	--------------------------	--------------------------

3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
----	--------------------------	--------------------------	--------------------------

4.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
----	--------------------------	--------------------------	--------------------------

5.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
----	--------------------------	--------------------------	--------------------------

6.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
----	--------------------------	--------------------------	--------------------------

7.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
----	--------------------------	--------------------------	--------------------------

8.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
----	--------------------------	--------------------------	--------------------------

STANDARDS

C. Facilities Required

1. Facilities are equipped to meet the instructional needs of all students enrolled in the program and provide easy access to a telephone for the teacher/coordinator.

D. Teacher/Coordinator Certification Required

Teacher/coordinator holds one of the following endorsements:

- #1. **Field endorsement** for Agriculture Education, Business Education, Family & Consumer Science, Industrial Technology, Marketing Education, or Trades & Industry. **THE TEACHER/COORDINATOR MUST HAVE TAKEN A COORDINATION TECHNIQUES CLASS.**

- #2. **Supplemental endorsement** for Coop/DO (12 vocational education hours including 3 hours each in coordination techniques, vocational special needs, and vocational education foundations + 1000 verified hours of work experience through paid, volunteer, or internship activities.)

Complete chart below for each Teacher/Coordinator that will be monitoring students at their work-site learning experience.

Teacher's Name	Discipline Area Agriculture, Business, Marketing, etc.	Postsecondary Institution Granting Certification	Type of Endorsement	
			Field	Supplemental

Directions: Complete form, secure signatures, and return to:

Richard Katt
Nebraska Department of Education
PO Box 94987
Lincoln, NE 68509-4987

Signature of Teacher _____ Date _____

Signature of School Administrator _____ Date _____

Signature of NDE Curriculum Director _____ Date _____

**Questions concerning the Cooperative Education/
Diversified Program Standards should be directed to:**

Carol Jurgens, Director
Cooperative Education/Diversified Occupations
Nebraska Department of Education
PO Box 94987
Lincoln, NE 68509-4987
Telephone: (402) 471-0948
E-mail: cjurgens@nde.state.ne.us

DOCUMENTATION

C. Met In Progress Not Met

1. ☐ ☐ ☐

D. Met In Progress Not Met

1. ☐ ☐ ☐

State Staff Use

Program meets Program Standards:

☐ Yes ☐ No

___ Original to project file

___ Copy returned to school

PLEASE NOTE: To meet Federal Child Labor Laws, all Program Areas that are **"REQUIRED"** in this document Must be checked **"MET"** for a program to be approved.

FLSA . . . Wage and Hour Law

Employers covered by the FLSA must comply with the provisions of this act if an employment relationship exists. To employ is defined under the Act as “to suffer or permit to work”.

In general, where a person who is not an independent contractor performs work for an employer with the employer’s knowledge, an employment relationship exists and the employer must comply with the FLSA. The FLSA does not apply, however, if work is performed in the course of training rather than employment. Most WBL experiences are paid and covered by the Federal FLSA or state labor laws; however, unpaid WBL is possible.

UNPAID Work Experiences

The following classifications of unpaid work experiences are not considered “employees” under the FLSA:

- ◆ **Student Learners.** A student enrolled in a learning experience would not be considered an employee within the meaning of the FLSA, if ALL of the following six criteria are met: (1) training is progressive, (2) experience is for the benefit of trainee, (3) no displacement of regular employees, (4) no direct benefits to employer, (5) no job entitlement, and (6) no wage entitlement.
- ◆ **Volunteers.** True volunteers, who are motivated by civic, public-spirited or partisan political concerns, are not likely to be considered to have an employment relationship, provided they are treated as volunteers and not as employees. Although they are not paid, expense reimbursement is permitted. Generally, a worker cannot volunteer to do the same job he/she is paid to do.
- ◆ **Volunteers with an IEP.** To help students with disabilities transition from school to employment, they may participate in unpaid learning experiences under the following conditions: (1) student is placed according to his/her IEP, (2) the time per week at work site is limited by the IEP, (3) student supervised by school or business, (4) no displacement of regular employees, (5) no direct benefits to employer, and (6) no job entitlement.

PAID Work Experiences

If a student does not meet the FLSA criteria for unpaid wage status, they must be paid at least the Federal minimum wage.

- ◆ **Minimum Wage.** As of September 1, 1997, the FLSA minimum wage is \$5.15 per hour. Overtime must be paid at the rate of 1.5 times the regular pay for each hour worked in excess of 40 hours per week.
- ◆ **Youth Subminimum Wage.** Youth under 20 years of age may receive a subminimum wage of \$4.25 an hour during the first 90 consecutive calendar days of employment with an employer. Employers using a subminimum wage are prohibited from displacing any employee or reducing their hours, wages, or employment benefits.
- ◆ **Tip Credit.** Tipped employees (e.g., waiters and waitresses) must be paid at least \$2.13 an hour, and receive at least the minimum wage per hour when combined with an employee’s tips. If the combined minimum wages and tips do not equal the minimum hourly wage, the employer must make up the difference.
- ◆ **Subminimum Wage.** The FLSA does allow for other wage rates below the minimum wage in special training situations for full-time students in some occupations, students with severe disabilities, part-time cooperative education student-learners, and apprentices.

FLSA . . . Child Labor Law

Federal child labor laws were enacted to protect minors from injury in the workplace and to prevent work from interfering with education. All states also have child labor laws. If the FLSA and the state’s child labor laws regulate the same activity, the stricter labor standard is the one that applies. When a child reaches the age of eighteen, the child labor law does not apply.

The requirements of the FLSA child labor provisions have been divided into two categories: *agricultural occupations* and *nonagricultural occupations*. The laws spell out the age, hours, and occupational limitations for employment of youth under 18 years of age in each occupational category. The child labor provisions also provide for exceptions to the occupational limitations for youth enrolled in state approved cooperative education programs.

Resources

U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, 200 Constitution Avenue, NW, Washington, D.C. 20210, 202-219-4907. Publications include:

- ◆ *Child Labor Requirements in Nonagricultural Occupations Under the Fair Labor Standards Act.* Child Labor Bulletin No. 101.
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- ◆ *Handy Reference Guide to the Fair Labor Standards Act*, WH Publication 1282.
- ◆ *Employment Relationship Under the Fair Labor Standards Act*, WH Publication 1297.

School-to-Work & Employer Liability: A Resource Guide. The National School-to-Work Office, 400 Virginia Avenue, SW, Room 210, Washington, DC 20024, 1-800-251-7236, www.stw.ed.gov

Nebraska Department of Education, 301 Centennial Mall South, Lincoln, NE 68509, 402-471-0948. Publications include:

- ◆ *Nebraska Work Based Learning Manual, 1998.*
- ◆ *Nebraska Work Based Learning Instruction Guide, 2000.*
- ◆ *Legal Conditions for Employment of Youth Under 18 Years of Age in Agricultural Occupations.* (Brochure)
- ◆ *Legal Conditions for Employment of Youth Under 18 Years of Age in Non-Agricultural Occupations.* (Brochure)

For More Information Contact

Carol Jurgens

Work Based Learning Director

Nebraska Department of Education

402-471-0948 or cjurgens@nde.state.ne.us

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Overview of WBL Legal Issues

Nebraska Department of Education
January 2002

WORK BASED LEARNING

Work Based Learning (WBL) is a combination of *school site preparation* and actual *work site experiences* designed to enable students to acquire attitudes, skills, and knowledge for career and other life roles in a real work setting. WBL helps today's youth:

- ◆ strengthen workplace readiness and technical skills.
- ◆ explore career options.
- ◆ foster positive relationships with adults.
- ◆ understand the relevance of and application to academic learning.
- ◆ observe all aspects of a company's operation.
- ◆ develop an awareness of new and emerging high-tech, high-wage jobs so they can more effectively plan postsecondary education pursuits.

WBL opportunities range in type and intensity in the workplace - from gaining career awareness through job shadowing, to learning occupational and employability skills by working in internships or youth apprenticeships.

Structured WBL includes a planned program of job training and work experience at progressively higher levels, is related to the career major of a student, and is coordinated with the school site learning component. There **MUST** be a connection between the work experience and the school curriculum in a defined fashion.

EMPLOYMENT OF YOUTH UNDER 18 YEARS OF AGE

Employers, schools and students are impacted by a number of labor laws as they participate in WBL activities. The degree to which coverage is mandated is dependent on the situation. Coverage is primarily affected by the determination of whether an employer-employee relationship exists between the employer and student.

The participant's status at the work site is critical in the design, implementation, and monitoring of all work site experiences. Participants will usually have one of the following work site roles.

Paid Roles (considered employees)

- ◆ **Student Learner.** Participant is enrolled in a course of study and training in a cooperative training program under a recognized state/local educational authority or private school.
- ◆ **Apprentice.** Participant is employed in a craft recognized as an apprenticeship trade that is registered by the Bureau of Apprenticeship and Training.
- ◆ **Employee.** Participant is hired by private/public employer to perform work. No structured relationship exists between school and work.

Unpaid Roles (not considered employees)

- ◆ **Student/Visitor/Observer.** Participant visits the work site to observe and learn about a career, work activity, or other aspects of an industry.
- ◆ **Volunteer.** Participant serves unpaid for public service or humanitarian objectives.
- ◆ **Unpaid Trainee.** Participant is trained at a business/industry work site without compensation. Company permits student to work under

INSURANCE/LIABILITY

A risk financing plan provides for the financing of a potential loss. A complete risk management plan requires adequate insurance coverage and use of liability shields.

Insurance Coverage

Adequate insurance coverage for any type of WBL program can be arranged by working in conjunction with an agent or broker who is familiar with the program and with the schools or agencies who may be parties to the program. The first step would be to determine the extent to which present insurance policies provide sufficient protection and the need for obtaining additional coverages for any unprotected risk. The following types of insurance need to be in place to cover WBL activities.

- ◆ **Workers' Compensation.** The purpose of this type of insurance is to provide coverage to employees when they sustain injuries that arise out of, and in the course of employment. State law governs the issue of worker's compensation, which provides a means of recovery for workers where an employee/employer relationship exists (individual receives some type of compensation). Unpaid trainees and volunteers are not ordinarily covered. Employers limit their liability because worker benefits are limited by statute.
- ◆ **Injury to Participants.** Medical expenses for *employees* will ordinarily be paid by the company's worker's compensation policy. For the *student/visitor/observer, volunteer, or unpaid trainee*, expenses are usually paid by the injured individual's (or parents') health insurance policy. The medical payments provision of a company's general liability policy would also provide similar coverage for an injured non-employee.
- ◆ **Coverage for Lawsuits.** A company's general liability policy pays claims and provides legal defense against most types of suits brought against a company and its employees, but such policies do not usually cover a student/visitor/observer, volunteers, or certain unpaid trainees. An endorsement may extend coverage to these individuals.

Liability Shields

Liability shields are used to assign responsibility from a business to another person or organization in case of an accident or property damage. Four common liability shields are:

- ◆ **Waivers.** Documents in which participants sign away their right to bring a lawsuit in the event of injury or damage. Courts seldom allow waivers to excuse negligence or a duty owed a minor.
- ◆ **Consent Forms.** Documents that inform the participant (and parent/guardian) of the risks involved in the activity that he/she is about to perform. Consent forms are generally upheld by courts, but do not excuse a company/school from responsibilities for its own negligence.
- ◆ **Permission Slips.** Documents that inform parent/guardian about the nature, location, and details of an activity (e.g., field trips, job shadowing). Helpful as a form of protection - well-informed parents/guardians may not be as likely to bring suit.
- ◆ **Indemnification Agreements.** Used to shift financial burden for injuries or damages arising from activities from one party to another (e.g., an insurance policy)

TRANSPORTATION

Insurance liability issues arise in work site learning activities because students are required to leave school premises in order to continue learning at the workplace. In general, the party responsible for transportation is also liable in the case of an accident. If the school is transporting the student, the school transportation policies apply. The same is true if an employer, parent, or teacher provides transportation.

In the case of a student driving him/herself to the workplace during the school day, there should be no difference from liability issues for students getting to school or an extra-curricular activity. When students drive personal vehicles, conditions of transportation should be defined. Typically, conditions include verification of student driver's license and insurance coverage, limiting transportation to student driver (no passengers); and limiting transportation for the sole purpose of getting to and from the work site.

HEALTH/SAFETY

Health and safety issues affect the planning of WBL opportunities for minors under the age of 18. Check with your local or state Health Department and state Department of Labor regarding the health and safety requirements in your area.

Medical. Immunizations and protection from disease are important for your students and the people they are in contact with during their work experience. Student health and safety measures in health occupations may require that students be tested for tuberculosis and have up-to-date immunizations including Hepatitis B. Check with local agencies to determine who pays for the cost of these tests.

Safety Instruction. A written student training plan is recommended that includes a checklist of the safety instruction to be provided and by whom. At the work site, students must follow the same health and safety rules governing regular employees.

FEDERAL FAIR LABOR STANDARDS ACT (FLSA)

The FLSA was passed in 1938 and is a federal law enforced by the U.S. Department of Labor's Wage and Hour Division. It covers employees who work for any one type of enterprise that is either:

- ◆ engaged in interstate commerce.
- ◆ producing goods for interstate commerce.
- ◆ handling, selling, or otherwise working on goods or materials that have been moved or produced for interstate commerce.

FLSA applies to all fifty states, ninety percent of nonagricultural businesses, all businesses with annual gross sales of >\$500,000 and all hospitals, schools, and public agencies. It applies **only** when an employment relationship exists. There are NO waivers to the FLSA. The two major

direct supervision to gain exposure to a particular occupation.

another (e.g., an insurance policy).

components of the FLSA are the Wage and Hour Law and the Child Labor Laws.

HO 3 coal mining
 HO 4 logging and sawmilling
 HO 5* power-driven woodworking machines
 HO 6 exposure to radioactive substances
 HO 7 use of power-driven hoisting apparatus
 HO 8* power-driven metal-forming, punching and shearing machines
 HO 9 mining, other than coal
 HO 10* slaughtering, or meat packing, processing, or rendering
 HO 11 power-driven bakery machines
 HO 12* power-driven paper-products machines
 HO 13 manufacturing brick, tile and kindred products
 HO 14* power-driven circular saws, band saws, and guillotine shears
 HO 15 wrecking, demolition & ship-breaking operations
 HO 16* roofing operations
 HO 17* excavation operations

HAZARDOUS OCCUPATIONS ORDER (HHO) EXEMPTION QUALIFICATIONS (29 CFR 570.50)

An HHO Exemption allows industry and schools working in partnership to be protected under the child labor law and employ students in some hazardous occupations. Child labor regulations allow limited involvement in the seven hazardous occupations starred (*) above if the individual is at least 16 years old, a cooperative education student-learner or apprentice, and **all** of the following requirements are properly met:

✓ Individual must be 16 - 17 YEARS OLD

✓ STUDENT LEARNER must be:

- enrolled in a *state-recognized course*, e.g. COOP program.
- employed under *written* Training Agreement signed by the employer, school, parent, and student.
- employed under a *written* Training Plan that clearly identifies the competencies the student is expected to attain in the related high school course and as a result of the on-the job training.
- employed with the understanding that the hazardous portion of the work:
 - ♦ is *incidental* to training.
 - ♦ is *intermittent* and for *short* periods of time.
 - ♦ is under *direct* and *close* supervision of a qualified person.
 - ♦ follows safety instructions given by the school and/or the employer on the job.

✓ APPRENTICES must be:

- employed in an apprenticeship program *registered* by

- the Bureau of Apprenticeship and Training (BAT).
- employed with the understanding that the hazardous portion of the work:
 - ♦ is *incidental* to training.
 - ♦ is *intermittent* and for *short* periods of time.
 - ♦ is under *direct* and *close* supervision of a qualified person.
 (The following additional criteria are not required by the FLSA, but are recommended to insure the safety and well being of the student apprentices.)
 - provided with safety instructions given by the school and/or the employer on the job.
 - employed under *written* Training Agreement signed by the employer, school, parent, and student.
 - employed under a *written* Training Plan that clearly identifies the competencies the student is expected to attain in the related high school course and as a result of the on-the job training.

This brochure is intended as a reference only, not as a legal interpretation, and is not a substitute for legal advice. It is in no way a complete statement of the child labor laws, but a simplified interpretation intended for use by educators, employers, policy makers, and parents as they plan and implement work-based learning opportunities. For more complete information regarding state and federal law, consult the resources listed below. Those needing legal advice should consult an attorney.

Resources:

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The following publications are available:

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- *Child Labor Requirements in Agricultural Under the Fair Labor Standards Act.* Child Labor Bulletin No. 102.
- *Handy Reference Guide to the Fair Labor Standards Act,* WH Publication 1282.
- *Employment Relationship Under the Fair Labor Standards Act,* WH Pub. 1297.

Nebraska Work Based Learning Manual, Nebraska Department of Education, 301 Centennial Mall South, Lincoln, NE 68509-4987, 402-471-0948

For More Information Contact
 Carol Jurgens, Cooperative Education Director
 Nebraska Department of Education
 402-471-0948 or cjurgens@nde.state.ne.us

**Federal
 Fair Labor Standards Act**

Legal Conditions for Employment of Youth Under 18 Years of Age in Non- Agricultural Occupations

**Nebraska Department of Education
 January 2002**

EMPLOYMENT OF YOUTH UNDER 18 YEARS OF AGE IN NON-AGRICULTURAL OCCUPATIONS

Employers, schools and students are impacted by a number of labor laws as they participate in work-based learning activities. The degree to which coverage is mandated is dependent on the individual situation. Coverage is principally affected by the determination of whether or not an employer-employee relationship exists between the employer and student.

Child labor laws were enacted to protect minors from injury in the workplace and to prevent work from interfering with education. Students in work-based learning opportunities may engage in a range of types and intensities of activities in the workplace — from gaining career awareness through job shadowing, to learning occupational and employability skills by working in internships or youth apprenticeships.

WHY EMPLOY YOUTH UNDER AGE 18?

It has become increasingly apparent that structured work-based learning enhances rather than detracts from education by reinforcing academic learning and highlighting the relevance of education to goals in later life. The employment of youth under age 18 is desirable in many instances because of the need:

- ◆ To create early opportunities for youth to develop an awareness of new and emerging high-tech, high-wage jobs so they can more effectively plan postsecondary education pursuits. By age 18, students are graduating from high school and tending to pursue more traditional postsecondary avenues.
- ◆ To introduce youth to the modern workplace, equipment and actual workplace problems.
- ◆ To give youth access to jobs that require more knowledge and skills than ordinary “youth jobs”.
- ◆ To allow youth to experience a career field before the 12th grade so they can “tone up” their school-based academic and technical program of study before graduation.
- ◆ To demonstrate to youth that high performance in high school “counts” in students’ plans for the future.
- ◆ To enable students to observe the interaction of all aspects of a company’s operations.

FEDERAL FAIR LABOR STANDARDS ACT (FLSA) CHILD LABOR PROVISIONS

The FLSA was passed in 1938 and is a federal law enforced by the U.S. Department of Labor’s Wage and Hour Division. The law applies to all fifty states and ninety percent of nonagricultural businesses. All states also have child labor laws. If the FLSA and the state’s child labor laws regulate the same activity, the stricter labor standard is the one that applies, e.g., Nebraska Child Labor Law requires that all workers under age 16 obtain an Employment Certificate from the school district in which the child resides. The following conditions are based on the Federal law which is generally more stringent.

The FLSA applies **only** when an employment (employer/employee) relationship exists. When a child reaches the age of eighteen, the child labor law does not apply.

Child labor law for nonagricultural occupations stipulates conditions of employment in three major areas: Age and Hour Limitations, Occupational Limitations, and Hazardous Occupations Order Exemption Qualifications.

AGE AND HOUR LIMITATIONS

Under 14 Years of Age

Youths under 14 may work **only** if their jobs are exempt from child labor standards or not covered by the Fair Labor Standards Act. Exempt work includes: delivery of newspapers to consumers; performing in theatrical, motion picture, or broadcast productions; and work in a business owned by the parents of the minor, except in mining, manufacturing or hazardous occupations. In general, minors under the age of 14 may not be employed in nonagricultural occupations. Their activities in work-based learning programs must be limited to activities such as career awareness and exploration activities, classroom presentations, field trips to worksites, and job shadowing.

14 and 15 Year Olds

Students who are 14 and 15 years of age may work at jobs such as office work; various food service jobs; sales work and some other jobs in retail stores; errand and delivery work by foot, bicycle and public transportation;

dispensing gasoline and oil and performing courtesy services in gas stations. The hours of work cannot be during school hours; cannot exceed three hours on a school day with a limit of 18 hours in a school week; cannot exceed eight hours on a nonschool day with a limit of 40 hours in a nonschool week; and cannot be before 7:00 a.m. or after 7:00 p.m., except from June 1 through Labor Day, when the evening hour is extended to 9:00 p.m.

14 and 15 Year Olds - WECEP Exception

There are exceptions to these restricted hours and occupations under the Work Experience and Career Exploration Program (WECEP) (29 CFR 570.35(a)). Under WECEP, at risk students who are 14 or 15 years of age and enrolled in an approved program can be employed during school hours, for up to three hours on a school day, up to 23 hours in a school week, and in occupations otherwise prohibited. School districts that would like to implement a WECEP Program must apply for approval. WECEP applications may be obtained from the WECEP Director, Nebraska Department of Education, 301 Centennial Mall South, Lincoln, NE 68509-4987.

16 and 17 Year Olds

Sixteen and seventeen year old youth can work at any time for unlimited hours—educators, employers, and parents should, however, control the hours to ensure that education remains the student’s top priority. Unless they meet the criteria of a *student learner* or *apprentice*, they cannot be employed in the hazardous occupations listed below.

OCCUPATIONAL LIMITATIONS

There are seventeen Hazardous Occupations Orders (HOO) described in detail in the law. Minors under age 18 may **not** be employed to work in these occupations unless they qualify for an exemption as a *student learner* or *apprentice* enrolled in a state-recognized training program. Industry can hire 16 and 17 year old students to work in HOO # 5, 8, 10, 12, 14, 16, and 17 if they work in partnership with an approved educational facility and an agreement has been signed by the employer, the school, a parent, and the student (see Exemption Qualifications). There are no exemptions for HOO # 1, 2, 3, 4, 6, 7, 9, 11, 13, and 15.

- | | |
|------|--|
| HO 1 | manufacturing and storing explosives |
| HO 2 | motor vehicle driving and outside helper |

AHO 6*

Working from ladder or scaffold at a height of over 20 feet.

AHO 7

Driving a bus, truck, or automobile when transporting passengers, or riding on a tractor as a passenger or helper.

AHO 8

Working inside a fruit, forage, or grain storage designed to regain an oxygen deficient or toxic atmosphere; an upright silo within 2 weeks after silage has been added or when a top unloading device is in operating position; a manure pit; or a horizontal silo while operating tractor for packing purposes.

AHO 9

Handling or applying agricultural chemicals identified by the word *poison* and the *skull and crossbones* on the label or those identified by the word *warning* on the label.

AHO 10

Handling or using a blasting agent, including but not limited to dynamite, black powder, sensitized ammonium nitrate, blasting caps, and primer cord.

AHO 11

Transporting, transferring, or applying anhydrous ammonia.

AGRICULTURAL HAZARDOUS OCCUPATIONS ORDER (AHHO) EXEMPTION QUALIFICATIONS (29 CFR 570.50)

An AHHO Exemption allows industry and schools working in partnership to be protected under the child labor law and employ students in some hazardous agricultural occupations. Child labor regulations allow limited involvement in the six hazardous occupations starred (*) above if the individual is at least 14 years old, a cooperative education student-learner or apprentice, and ***all*** of the following requirements are properly met:

✓ Individual must be 14 - 15 YEARS OLD

✓ STUDENT LEARNER must be:

- enrolled in a *state-recognized course*, e.g. COOP program.
- employed under *written* Training Agreement signed by the employer, school, parent, and student.
- employed under a *written* Training Plan that clearly identifies the competencies the student is expected to attain in the related high school course and as a result of the on-the job training.
- employed with the understanding that the hazardous portion of the work:
 - ◆ is *incidental* to training.
 - ◆ is *intermittent* and for *short* periods of time.
 - ◆ is under *direct* and *close* supervision of a qualified person.
 - ◆ follows safety instructions given by the school and/or the employer on the job.

✓ APPRENTICES must be:

- employed in an apprenticeship program *registered* by the Bureau of Apprenticeship and Training (BAT).
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Federal Fair Labor Standards Act

Legal Conditions for Employment of Youth Under 18 Years of Age in Agricultural Occupations

Nebraska Department of Education
January 2002

EMPLOYMENT OF YOUTH UNDER 18 YEARS OF AGE IN AGRICULTURAL OCCUPATIONS

Employers, schools and students are impacted by a number of labor laws as they participate in work-based learning activities. The degree to which coverage is mandated is dependent on the individual situation. Coverage is principally affected by the determination of whether or not an employer-employee relationship exists between the employer and student.

Child labor laws were enacted to protect minors from injury in the workplace and to prevent work from interfering with education. Students in work-based learning opportunities may engage in a range of types and intensities of activities in the workplace — from gaining career awareness through job shadowing, to learning occupational and employability skills by working in internships or youth apprenticeships.

WHY EMPLOY YOUTH UNDER AGE 18?

It has become increasingly apparent that structured work-based learning enhances rather than detracts from education by reinforcing academic learning and highlighting the relevance of education to goals in later life. The employment of youth under age 18 is desirable in many instances because of the need:

- ◆ To create early opportunities for youth to develop an awareness of new and emerging high-tech, high-wage jobs so they can more effectively plan postsecondary education pursuits. By age 18, students are graduating from high school and tending to pursue more traditional postsecondary avenues.
- ◆ To introduce youth to the modern workplace, equipment and actual workplace problems.
- ◆ To give youth access to jobs that require more knowledge and skills than ordinary “youth jobs”.
- ◆ To allow youth to experience a career field before the 12th grade so they can “tone up” their school-based academic and technical program of study before graduation.
- ◆ To demonstrate to youth that high performance in high school “counts” in students’ plans for the future.
- ◆ To enable students to observe the interaction of all aspects of a company’s operations.

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The FLSA was passed in 1938 and is a federal law enforced by the U.S. Department of Labor's Wage and Hour Division. The law applies to all fifty states and ninety percent of nonagricultural businesses. All states also have child labor laws. If the FLSA and the state's child labor laws regulate the same activity, the stricter labor standard is the one that applies, e.g., Nebraska Child Labor Law requires that all workers under age 16 obtain an Employment Certificate from the school district in which the child resides. The following conditions are based on the Federal law which is generally more stringent.

The FLSA applies **only** when an employment (employer/employee) relationship exists. When a child reaches the age of eighteen, the child labor law does not apply.

Provisions for work in agriculture are less restrictive than those for non-agricultural occupations. Agriculture, as defined by the FLSA “ . . . includes farming in all its branches . . . performed by a farmer or on a farm as an incident to or in conjunction with such farming occupations . . . ” (29 CRF 780.103).

Child labor law for **agricultural** occupations stipulates conditions of employment in three major areas: Age and Hour Limitations, Occupational Limitations, and Hazardous Occupations Order Exemption Qualifications.

AGE AND HOUR LIMITATIONS

Under 12 Years of Age

Youths under 12 years old may perform jobs on farms owned or operated by parents or, with parents’ written consent, outside of school hours in nonhazardous jobs *on farms not covered by the minimum wage provisions of the Fair Labor Standards Act.*

12 and 13 Year Olds

Youth who are 12 and 13 years of age may work outside of school hours in nonhazardous jobs, either with parent’s written consent or on the same farm as the parents.

14 and 15 Year Olds

Youth who are 14 and 15 years of age may work outside of school hours in nonhazardous jobs. Fourteen and fifteen year old students enrolled in a *state-recognized agricultural education program* may obtain an exemption from Agricultural Hazardous Occupations Orders 1,2,3,4,5, and 6 listed below.

16 and 17 Year Olds

Youth who are 16 and 17 years of age may perform any agricultural job, whether hazardous or not, and whether during school hours or not, for unlimited hours. Educators, employers, and parents should, however, control the hours to ensure that education remains the student’s top priority.

AGRICULTURAL OCCUPATIONAL LIMITATIONS

There are eleven Agricultural Hazardous Occupations Orders (AHOO) described in detail in the law. Minors under age 16 may **not** be employed to work in these occupations unless they qualify for an exemption as a *student learner* or *apprentice* enrolled in a state-recognized training program. Industry can hire 14 and 15 year old students to work in AHOO # 1,2,3,4,5, and 6 if they work in partnership with an approved educational facility and an agreement has been signed by the employer, the school, a parent, and the student (see Exemption Qualifications). There are no exemptions for AHOO # 7,8,9,10, and 11.

AHO 1*

Operating a tractor of over 20 PTO horsepower, or connecting or disconnecting an implement or any of its parts to or from such a tractor.

AHO 2*

Operating or assisting to operate any of the following machines: corn picker, cotton picker, grain combine, hay mower, forage harvester, hay baler, potato digger, or mobile pea viner; feed grinder, crop dryer, forage blower, auger conveyor, or the unloading mechanism of a nongravity-type self-unloading wagon or trailer; power post-hole digger; power post driver, or nonwalking-type rotary tiller.

AHO 3*

Operating or assisting to operate the following machines: trencher or earthmoving equipment, fork lift, potato combine, power-driven circular, band, or chain saw.

AHO 4*

Working on a farm in a yard, pen, or stall occupied by a bull, boar, or study horse maintained for breeding purposes; sow with suckling pigs; or cow with newborn calf.

AHO 5*

Felling, bucking, skidding, loading, or unloading timber with butt diameter of more than 6 inches.

